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October 28, 2005

Hon. Kenneth M. Karas  
Judge, U.S. District Court  
United States Courthouse  
500 Pearl Street - Rm. 2260  
New York, N.Y. 10007-1312

## MEMO ENDORSED

Re: *United States v. Alberto Vilar* - 05 Cr. 0621

Dear Judge Karas:

We have received and reviewed the Government's two letters in opposition to our bail modification application. The Government raises a number of points that we vigorously dispute. We would like the opportunity to respond to the letters, either in writing or at the November 7<sup>th</sup> conference, depending on whether Your Honor intends to hear oral argument before deciding the motion.

In addition, as Your Honor acknowledged at the last conference, any extensive delay in derogation of the defendants' Speedy Trial rights may have an impact on the Court's view of the propriety of restrictive bail conditions. At the conference we will be addressing the Government's letter indicating that it will need another six weeks to review the materials in its possession and that it cannot estimate the amount of time it will take to obtain documents from the Bahamas and Panama. The delay is another basis for the Court to consider modifying the restrictiveness of the current conditions imposed on Mr. Vilar.

Thank you for your attention.

Very truly yours,

*Susan C. Wolfe*  
SUSAN C. WOLFE

Cc: AUSA Marc Litt

*Defendant may respond to the Government's letters in writing by November 13, 2005. The matter will be discussed at the November 30 conference.*

*[Signature]*  
KENNETH M. KARAS U.S.D.J.  
10/28/05